Supreme Court, U.S.
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No.

In The
Supreme Court of the United States

Ben J. Tomeo, United States of America,
Ben R. Tomeo
Petitioner(s)
v.
Honeywell International Company Inc. et al.
Respondent(s)

On Petition For Writ Of Certiorari to the United States Court of Appeals for the Second Circuit

PETITION FOR WRIT OF CERTIORARI

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APPENDIX

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Section 1

Appellate Court Order filed October 1, 1999

District Court Order filed March 9, 1999.

Section 2

Paragraph 1 See District Court Order dated March 9, 1998 showed in Section 1 of the Appendix and Case History showed in Statement of the Case Section I.

Paragraph 2 See Statement of the Case, Paragraph 2 et seq. Relevant to ANSI Y14.5.

Paragraph 3 See Statement of the Case, Paragraph 3 et seq. Relevant to errors in standards and industry group strategies for manufacturing and education.

Paragraph 4 See Statement of the Case, Paragraph 4 et seq. Relevant to an industrial policy for manufacturing and education.

Paragraph 5 See Statement of the Case, Paragraph 5. Relevant to how history of the case has effected the petitioner and the United States of America. In additions, extractions from correspondence.

Paragraph 6 See Statement of the Case, Paragraph 6. Relevant to retaliations in such matters.

Paragraph 7 See Statement of the Case, Paragraph 7 et seq. Relevant to Summation.

Appendix, Section 1, Appellate Court Order

N.D.N.Y.
97-cv-442
McAvoy J.

United States Court of Appeals
For the Second Circuit

As stated Term of the United States Court of Appeals for the Second Circuit, held at the United States Courthouse, Foley Square, in the City of New York, on the 1st day of Oct. one thousand nine hundred and ninety-nine,
Present:

Hon. Dennis Jacobs,
Hon. Pierre N. Leval,
Hon. Guido Calabresi,
Circuit Judges.
Filed October 1, 1999

United States of America, Sealed Plaintiff # 2, Sealed Plaintiff #3,
Plaintiffs,
Sealed Plaintiff #1,
Plaintiff-Appellant,
V.

Sealed Defendant #2, et al.,
Defendants,
Sealed Defendant #1,
Defendant-Appellee.

Appellant has filed, pro se, motions for injunctive relief, expedited appeal, suspension of the Rules,

appointment of a master, and to add information. Upon due consideration it is Ordered that all pending motions are denied, and appeal is dismissed because it lacks an arguable basis in fact or law. See Pillay v. I.N.S. 45 F.3d 14, 117 (2d Cir. 1995); 28 U.S.C. 1915(e).

For the Court:
Karen Greve Milton, Acting Clerk
By: s. /Lucille Carr

USCA Order 3
Oct -1 1999.

Appendix, Section 1, District Court Judgment

United States District Court
Northern District Of New York March 9, 1999

United States Of America ex rel.
Ben J. Tomeo, and Ben R. Tomeo, Judgment in a Civil Case

Plaintiffs, No. 3:97-cv-442

vs.

Allied Signal Co., et al.,

Defendants.

XX Decision by Court. This action came to trial of hearing before the Court. The issues have been tried or heard and a decision has been rendered.

It is ordered and adjudged Relators' Second Amended complaint is dismissed, with prejudice, in its entirety.

All in accordance with order signed by Chief Judge Thomas J. McAvoy on 3/9/98.

Dated: March 9, 1998

Lawrence K. Baerman
Clerk of the Court

"s/ J. Leonard"
By: Deputy Clerk

Appendix, Section 1, District Court Judgment

United States District Court
Northern District Of New York 97-CV-442

United States Of America ex rel. March 9, 1998
Ben J. Tomeo, and Ben R. Tomeo,

Plaintiffs,

vs.

Allied Signal Co., et al.,

Defendants.

Thomas J.McAvoy, Chief U.S.D.J.

Order

This qui tam action was filed by pro se plaintiff-relators Ben J. Tomeo and Ben R. Tomeo on March 31, 1997. On April 16, 1997, the Court ordered Relators to sign their Complaint, read ands comply with Federal Rule of Civil Procedure 11, and follow the seal and service requirements of the False Claims Act, 31 U.S.C. Paragraph 3728 et seq. Relators filed a signed Amended Complaint (with over 400 pages of attachments) under seal on May 1, 1997. On October 24, 1997, the Court dismissed Relators' Amended Complaint and ordered that Relators have 30 days to file and serve a Second Amended Complaint. The Court stated: "The Second Amended Complaint must contain individually numbered short, concise statements laying out every cause of action against each defendant. Each paragraph shall contain Appendix, Section 1, District Court Judgment no more than one factual assertion with specific reference to the relevant cause of action and the relevant defendant."
Decision at 5.

Appendix, Section 1, District Court Judgment

Relators did not file their Second Amended Complaint until December 18, 1997, more than 30 days after this Court's October 24, 1997 Order. Accordingly, Relators' Second Amended Complaint is dismissed, with prejudice, in its entirety. The Clerk is ordered to close the file.

It is so ordered

March 9, 1998
Binghamton, New York "s/ Thomas J. McAvoy"
Chief U.S. District Judge

APPENDIX SECTION 2, MATERIAL TO REVIEW

1.0 For Questions 1-8

Introductory statement: Dates in the text that follow appear irrational due to alleged tampering with and delaying deliveries of the Complaint to and from the Plaintiff and the District Court. The extractions are from the record. They are abridged.

1.1 From Page 4 of the November 30, 1997 Opening Statement to the Second Amended Complaint:

"Exhibits attached to this Statement show that I sent the Second Amended Complaint to the Court by U.S. Post Office Overnight Express Mail service on November 24, 1997. In addition, that the Court did not receive it until Friday, November 28, 1997. In addition, that the Post Office, by Overnight Express Mail Service that I paid for, did not return the Complaint to me until Sunday November 30, 1997".

1.2 From the December 14, 1997 Cover Letter to the Complaint that the Court filed on December 18, 1997. (The District Court Order that dismissed this action is relevant to the December 18, 1997 filing date showed on the Cover Letter. That Order is showed in Section 1 of the Appendix).

1.3 From Paragraph 1.0: "On December 1, 1997, I placed copies of the October 23, 1997 Amended Complaint in the U.S. Post Office Box adjacent to the to the U.S. Post Office located in Bellevue Tennessee".

1.4 From Paragraph 1.1: "Exhibit 1 suggests that one or more employees of the U.S. Post Office or one or more accomplishes delayed delivery of the mail at either the Post Office in Bellevue, Mail Processing Center, or Post Office located at the Airport. In addition, that the stamp was removed from the package. In addition, that

the package was clearly routed to Zip Code 13601, rather than to Zip Code 13901, Binghamton, New York. Both Zip Codes are clearly showed on the package".

1.5 From Paragraph 1.2: "The employees in the Bellevue Post Office did not ask me for the $3.00 postage due showed on the Exhibit. This suggests that one or more of them are aware of the apparent fact that delivery of my mail in these regards have been tampered with in Nashville, Tennessee and perhaps in Washington, DC for years as the Complaint alleges".

1.6 From Paragraph 1.3: "Exhibit 2 confirms that the Amended Complaint was delivered by United Parcel Service to the U.S. Department of Justice in Washington, DC at 10:17 AM December 2, 1997. It was signed for by Brietsprecker". (Those relevant exhibits are attached to the Cover Letter to the Second Amended Complaint showed in the record).

2.0 The following is Paragraph 1.0 of the initial complaint filed in the District Court: I can open this claim now that the media has reported that the authors of a document induced officials in the Government to suggest or mandate a standard it contains about 27 years ago that they have known all along would contaminate the data in almost all of the computers in the nation (world) in 2000 to the extent that the estimated costs to correct it equals 50% of the federal taxes collected in 1997. The following is extracted from Paragraph 2.28.1 of the Second Amended Complaint: To my knowledge, the Government has not yet negotiated a contract with a provider to correct that data that states that they would correct it on time or be fined an amount equal to the additional costs that the Government would subsequently accrue.

APPENDIX SECTION 2, MATERIAL TO REVIEW

2.1 The following is extracted from Page 1, Column 1 of my dimensional copyright showed in the record

a) "As it should be, product is designed, manufactured, inspected and priced to the requirements of the engineering drawing. As it should not be, engineering, manufacturing, quality, inspection and pricing are not made aware of the additional hidden tolerance in geometric (all) dimensioning. Consequently, product is designed, manufactured, inspected, priced and put into service as if they do not exist".

b) "To put these concerns in another perspective, significant needless uncertainties are permitted to exist in every discipline relating to productivity. By chance, (1) engineering could design product so that the additional hidden tolerances would have a more limiting effect on product. (2) Manufacturing could produce the product so that the additional hidden tolerances had the most adverse effect. (3) Inspection could inspect the product in agreement to either the engineering or manufacturing consequence. (4) Pricing and the customer could do whatever. Combinations are many, elusive and costly".

c) "In this light, the additional hidden tolerances in geometric (all) dimensioning is also seen: (1) To have a confusing effect on manufacturing tools and inspection gages. (2) That understanding of product relating to productivity, including fit, forms, and function is significantly and needlessly compromised. (3) That due to many product relationships with vendors, outsourcing, sub-contractors and prime contractors, these concerns in one product explodes into many other singular product concerns including those relating to quality, reliability, profitability and accountability".

d) "If these concerns were immediately resolved, the additional hidden tolerances in geometric (all) dimensioning will cast into suspicion virtually all product in use by the DOD over a time period of nearly fifty years. DOD designed product is used in many other critical applications, such as, nuclear power stations, voice and signal communication equipment and aircraft".

2.2 The following analyses will further show the damaging effects on products due to dimensioning features on parts from centerlines of the manufacturing equipment rather than from surfaces on parts. In addition, how easy it would be for the president, members of congress and chairmen advising them to resolve that problem. Figures described in the text follow it on Page 6.

2.2.1 Figure 1 shows a typical dimension on a part showed on an engineering drawing in its basic, theoretically perfect condition of size. The part and line are represented by the dotted line. Features to be manufactured on the part are represented by A and B. Dimensions with tolerances that would locate features A and B on the part are not showed. In addition, they are not considered in the analyses. "C" in all figures represents centerlines.

2.2.2 Figure 2 shows the part and dimension in Figure 1 with its tolerance showed in an exaggerated condition of size. The tolerance is represented by XXX-XXX. (Tolerances are typically applied to basic i.e. theoretically perfect dimensions).

2.2.3 Figure 3 shows the part and dimension theoretically perfect in size and location with respect to the centerline. None of its tolerance was used in its manufacturing. Centerline of the manufacturing equipment and part are the same in Figures 1, 2 and 3.

APPENDIX SECTION 2, MATERIAL TO REVIEW

2.2.4 Figure 4 shows the part and dimension in a real world manufacturing condition, moving as far to the left as it can move in the manufacturing fixture. The open space at the right represents space for the tolerance that in this example is not on the part. (The effects of tolerances vary within the range in which they are specified).

2.2.5 Figure 5 shows the part and dimension in a real world manufacturing condition, moving as far to the right as it can move in the manufacturing fixture. The open space at the left represents space for the tolerance that in this example is not on the part.

2.2.6 The conclusion in the analyses thus far is that features A and B on more than one part would be manufactured in infinite locations on the parts within the range of its tolerance of size.

2.2.7 Introductory Statement for Figure 6: Feature B was previously manufactured on the part when the part was in the manufacturing fixture as far to the right as it could go.

2.2.8 Figure 6 shows the part in the manufacturing fixture moved as far to the right as it could go consistent with the introductory statement above.

2.2.9 Figure 7 shows the part in the manufacturing fixture moved as far to left as it could. Feature A is manufactured on the part in that location.

Figure 1: -------A----------C----------B------
Figure 2: XXX------A----------C----------B------XXX
Figure 3: ------A----------C----------B------
Figure 4: ----------A-------C---------- ---B-----
Figure 5: -----A----------C--------B----------
Figure 6: ----------C----------B----------
Figure 7: ----------A-------C---------B----------

2.2.10 The conclusion showed for Figures 6 and 7 is that features A and B were manufactured on the part closer together by the magnitude of tolerance XXX-XXX with respect to the distance between them showed in Figures 1-5. This is due to manufacturing A and B independent of each other. The distance between features A and B is a resultant of the two dimensions that located them on the part from the centerline and are not subject to inspection. Part features are often manufactured independent of each other.

3.0a The following information abridged from the record is relevant to Statement of the Case, Paragraph 3a: Those computers would relate to that pre-existing data entered into them as garbage in is garbage out because it could not possible have been designed for that software. Those concerns with ANSI Y14.5 showed in Paragraph 2.1–2.2 of the Appendix would have impeded successful introduction of those computers. Credible evidence in the record shows that employees of the company that marketed those computers published papers saying that they could not meet those advertised benefits in the laboratories.

3.0b The following information abridged from the record is relevant to Statement of the Case Paragraph 3.0b. Paperless drawings, say 1976-Present. The endeavor can not be achieved at this time for much the same reasons showed in Paragraph 3.0a. In addition, the Government would need a credible industrial for manufacturing and education to tie in every supplier to achieve that end. Chairmen Gerstner of IBM and Condit of Boeing were showed on C-Span congratulating Vice President Gore and Defense Secretary Cohen for putting Pentagon data on computer disks. Chairman Gates of Microsoft encourages Government officials to introduce that endeavor. Reference: The article from the June 3, 1999 Investors Business Daily showed in the record: CDs Of Navy Weapon Systems May Be At Risk.

APPENDIX SECTION 2, MATERIAL TO REVIEW

3.0c The following information abridged from the record is relevant to Statement of the Case, 3.0c. Metrics, say 1968 – Present. The record alleges that manner in which metrics is introducing is fraught with danger. In addition, it questions why the Nation took on this endeavor. It notes that the United States was the only industrialized nation standing after world war II. It asks, why is the leader with so much to lose following the laggards who had nothing to lose. It compares metrics with decimal measurements in the customary system and sees no advantage in the metric system. President John Quincy Adams proposed decimals. Airbus Industries might have chosen not to use metric units of weights and measures. Large American companies have been using decimals prior to 1960. Why is the Department of Education still teaching fractions? See Paragraphs 3.1k, and 3.1l.

3.1a The following information is extracted from a high reliability sheet showed in the evidence: Customer: Boeing Supersonic Transport Division. RFQ# 9-5620-21-1-6 and the Bendix letter dated 10/6/67. Sales S#: 66-449. The document shows some 140 items for which costs can be added. It shows names of those who are responsible to add those costs. It contains the following blanket statement: "Proposal to have statement that ECD does not have to prove compliance". Costs are added to every manufacturing and inspection operation. The above is in a report that I filed with the Pentagon's Fraud Hotline. It appears to meet every requirement to investigate under the False Claims Act.

3.1b The following is extracted from the December 15, 1999 WSJ: Let GE Fix the Medical Errors' Problem by Holman W. Jenkins Jr. "Bill Clinton is going to fix the problem of medical errors by ordering federal health care agencies to order hospitals and doctors to shape up. Let's begin with a serious discussion about mistakes. Any

single blooper might as well be a random event, but companies choose their rate of error. Once it was done by default: The acceptable rate was whatever allowed a company to stay profitable in business. Then, in the 1980s, Motorola led the way to setting error rates by design and the process a name, six sigma, aiming at 3.4 mistakes per million units of output. GE became the biggest exponent, spending $500 million this year on six sigma for an expected return of $2 billion. U.S. industry as a whole operates around three sigma, 66,000 per million, an error rate of 6.6%."

3.1c) The following is extracted from Page 8 of the evidence binder in the record: New York Times News Service. Washington – The internal Revenue Service conceded yesterday that it had spent $4 billion developing modern computer systems that a top official said, "do not work in the real world".

3.1d The following is extracted from the Cover Letter to the Second Amended Complaint: Middle River, Md. (AP) – Military technicians failed to install four of five fasteners on the left wing of an F-117A jet, causing the $142 million stealth fighter to crash into a residential area during an air show in September, the Air Force said. In 1992, Lockheed Corp. added two steel plates in the wings to stiffen them. The plates covered the missing fasteners, making it impossible for maintenance workers to see the mistake. Investigators don't know who is responsible. In transferring the maintenance records from paper to computer, Beard said some information was not moved over – including who worked on the plane and who inspected it?

3.1e1 The following is Paragraph 2.28.4 of the Second Amended Complaint: Departments and agencies of the Federal Government have assured Congress they would correct the year 2000 glitches in their computer data and

software by year 2000 largely because they purchased new main frame computers. The glitches however, are not in the computers they had; they are in the data and software they have. Therefore, if those main frame computers do not have an operating system that could correct those glitches, they might further complicate the Government's endeavors to do that on time and within budgets.

3.1e2 The following is extracted from Page 7b in the book of evidence: The following information was extracted from the computer glitch paper that I released to the media, many government officials and the public beginning in early 1996 to support my candidacy for the U.S. House of Representatives.

1. The WSJ reported that the error is in main frame computers. This will show it is in desktop computers. Data and products effected might include a) Copyrights, patents, royalties, mortgages, security transactions, warranties, dates to replace parts, remove them from sales etc. b) Products with timing devices such as, computers that calculate point to point locations for navigation and weaponry where an object in the solar system is used for a point of reference.

2. You could prove that some members of the industry group knew the software standard contained the error in 1981 if you duplicate the procedure I followed described below: (The authors likely knew the standard was in error when it was written, perhaps in the 1960's.

a) I went to the DOS screen and read: "The IBM Personal Computer DOS, Version 3.3. b) Copyright International Business Machines Corp. 1981, 1987. c) Copyright Microsoft 1981, 1986. d) I advanced the DOS clock to 11:77PM, 12/31/1999. Turned the computer off. Turned it on 4 minutes later. The clock changed to 12:01 AM, 01-01-2000. Data was scrambled when I saved a file. The petitioner sent this information first to Senator Fred Thompson when he promised to help my son. I alleged he misused it and caused problems for me with IBM etc. and music licensing companies, ASCAP, BMI and SESAC.

3.1f The following is from Paragraph 2.51.2 of the Second Amended Complaint: NASA's ($Billion plus) Mars Observer was lost in space: The chairman of the panel charged to investigate the loss said its suppliers did not manufacture the Observer as flown to its requirements showed on legally binding engineering drawings that were under formal change controls. Therefore, his panel had nothing to report because it had nothing to investigate. Paragraph 2.51.3: (The) industrial policy is in so much violation of the Constitution that it has increased the cost of the space station to at least ten times, perhaps as much as thirty times more than the original appropriation.

3.1g The following is relevant to the report that the Pentagon said they investigated alleging that Amphenol, an Allied Signal Company at that time, knowingly sold $Millions of defective electrical connectors for high performance applications to the Government. The Hotline said their investigation found that allegation factual, however it did not matter because those connectors were only spares. I said that it does matter because it is in the public domain that spare Pentagon parts can find their way into commercial end-items.

3.1h The following is relevant to the report that the Pentagon said the Air Force investigated alleging that IBM, a dominant member of the ANSI Y14.5 Committee is not using the Standard that they are party to, who through the Government is mandating it on all other suppliers. In addition, that IBM drawings I've seen dimension parts consistent to the way that is suggested in my copyright for dimensional analyses and consistent with Paragraph 2 et seq. in this Appendix. The Air Force Investigator called me to say that he had confirmed the allegation and he was about to deliver the finding to the Pentagon. He asked me if I knew that that the relevant incorrect information in ANSI Y14.5 was in an ISO document. I said yes. When I

inquired about that report with the Hotline, they would only say that the report was misplaced. I reported this matter to everyone in the Government I was communicating with at that time as showed in the record. The report I filed with the Pentagon and this information with telephone logs is in the record.

3.1i The following is relevant to the $25 million fine that the Department of Justice levied against the manufacturer of the Hubbell Telescope that appears to be relevant to report that I had filed with the Pentagon's and the NASA's inspectors general. In that report I showed how a low cost key and keyway typical to those that impede unsafe opening of aspirin containers if on the parts that ground the lens would have made it impossible for the lens to be ground incorrectly. That keying technology for such purposes goes back to state of the arts, crafts and education that invented the wheel.

3.1j The following is from Paragraph 2.51.5 of the Second Amended Complaint: In addition, the astronauts interviewed on the MacNeil/Leher News Hour on April 11, 1995 said the mission to repair the lens on Hubbell was successful solely due to luck because its design requirements as flown, was not showed on engineering drawings that were under formal change controls. If this revelation is followed to its logical conclusion, weapon systems that have contract life spans of more than thirty years are being repaired today solely due to luck. This may be the common thread that the Pentagon has been searching for in the rash of increasing numbers of plane crashes and weapon system failures.

3.1k The following is extracted from the October 4, 1999 USA Today: Now that NASA scientists have squandered $125 million, not to mention a cherished

opportunity to explore Mars, by failing to make sure everyone involved used metric measurements, here's a quiz: Who is about to waste billions of dollars and thousand of jobs on the same mistake? Answer: The whole country - unless NASA's blunder wakes everyone up.

The following is extracted from my letter to Mr. Brian Gallagher, Editor of USA Today: Dear Mr. Gallagher: This is relevant to the editorial in the October 4, 1999 USA Today; NASA lost $ 125 million, but look who's losing billions. Background I: This will suggest that:

1. The United States of America is manufacturing and conducting commerce in two standards of weights and measures since say 1975. 2. The U.S. Constitutions allows for only one standard of weights and measures. 3. The President and congress have never said that there is a need for education that could mitigate those enormous losses and added costs resulting from the use of two standards for weights and measures. Action Request: This will ask for a timely meeting with the *Board* to discuss: a) Pros and cons in the processes converting the Nation to the metric standard of weights and measures since say 1975. b) My ideas that might improve those processes and outcomes that the *Board* might deem worthy of further study. c. U.S. Senator John McCain, Commerce Department oversight and former President Jimmy Carter.

3.11 The following is from Paragraph 2.52.1 of the Second Amended Complaint: The U.S. Constitution indicates that its authors knew that more than one standard for weights and measures would cause so much confusion in commerce, education and manufacturing that it would lead to exorbitant increases in costs, open doors to fraud and threaten sovereignty.

APPENDIX SECTION 2, MATERIAL TO REVIEW

4.0 The gist of the Government's industrial policy for manufacturing and education as I know it follows:

a) Procurement shall be to bona fide contracts. Contract requirements shall be showed on engineering drawings and specifications.

b) The Government placed necessary information to comply with the policy in standards and policy manuals into the public domain so that the people wanting to do business with the Government could do so in free enterprise.

c) All such information showed above was under formal change controls. In addition, all had legally binding associations with each other.

d) The policy recommended standard and preferred parts, such as fasteners, raw materials and screw threads etc. It made sincere attempts to improve the means in which such information was communicated on engineering drawings so it would have but one interpretation by those with appropriate credentials anywhere in the world.

e) The following is extracted from Page 10 of the evidence binder; paragraphs so identified are in Military Specification DOD-D-1000B.

1.1 Purpose: This specification prescribes requirements for engineering drawings and associated lists acquired in support of Department of Defense Material.

1.3 Classification: Engineering drawings and associated lists shall be required in one or more of three levels.

a) Level 1 – Conceptual and Development Design
b) Level 2 – Production Prototype and limited production.
c) Level 3 – Production.

This will suggest to the Court that products were not placed into service until they met Level 3, production class. In addition, that for some years products and software has been marketed to Level 2, Production Prototype and Limited production Class, or perhaps somewhere between Level 2 and Level 3. In addition, in my view this practice could flood the Nation with products and software that was not fully developed. In addition, those products and software would behave as a virus on products and software of others it associated with.

4.1 It is in the record that I was involved in introducing computers in schools in the vicinity of Binghamton, New York in the nineteen seventies and eighties. The first thing the committee suggested to administrators is that those students should not be exposed to a computer prior to learning how to keyboard properly, and perhaps not until grade ten or after. After we had some experience with the endeavor, it was suggested that difficult challenges would need to be overcome to meet expectations. Those challenges have yet to be overcome.

4.1b) Vanderbilt Chancellor Joe Wyatt at 1999 meeting of Governors said to paraphrase, computers in schools wouldn't meet expectations until teachers are trained and paid the same as doctors. Even if this were a credible proposal, computers would be in schools for generations of students before it could take effect.

4.1c) The following is extracted from an article in Nashville Banner newspaper: (Computers and the internet; "It's also a way to reach everyone in America who ever attended school". "When you connect with schools, you connect with 270 million people".

4.2 The record suggests that some works are too valuable to the public interest to be protected by copyright

or patent. In addition, it suggests that such information should be in the Government's industrial policy for education and manufacturing. In addition, that the Government should compensate those citizens who contribute such works?

Extractions from correspondence follows:

4.3 From the June 19, 1988 letter from U.S. Senator Gore: "I am very interested in the matter you brought to my attention. Please be assured that I share your concern, and that my staff and I will do everything we to help get it resolved. We are currently contacting the appropriate officials and authorities on your behalf. I will report the results to you".

s/Albert Gore Jr. United States Senator

4.4 From the June 19, 1988 letter from U.S. Senator Sasser: "I have determined that any claim which you have for personal damages with the Allied Signal Company should be handled through court action. Our office is interested in any information as you indicted would show that this company inflated prices charged to the U.S. Government on certain government contracts".

s/Dave McDole State Coordinator

4.5 From the July 7, 1988 letter from U.S. Senator Gore: "I regret that I am unable to assist you any further in this matter"

s/Albert Gore Jr. United States Senator

4.6 From the November 1, 1989 letter from John Sununu Chief of Staff to President Bush: "Regrettably, we are unable to help you in this matter and would recommend that you seek assistance from other sources".

s/Katie Winkeljohn
Special Assistant to the Chief of Staff

4.7 From the March 8, 1990 letter from United States Senator John Glenn: "I would like to take this opportunity to thank you for the information regarding Department of Defense procurement practices that you sent my office. I appreciated your thinking of me and hope to keep this line of communication open".

s/John Glenn United States Senator

4.8 From the July 20, 1990 letter from Speaker of the House Tomas Foley: The gist is that the Speaker would like to help but he does not have time.

s/Susan Moos Administrative Assistant

4.9 From the August 3, 1990 letter from the Department of Defense Inspector General: "If you have additional supporting evidence or documentation, notify the Hotline and the matter will be given further consideration".

s/ Charles E. St. Cyr Assistant Director for Operations

4.10 From the August 15, 1990 letter from Doctor Robert Brown of NASA: "Thank you for your recent letter inquiring about support for development of your technical communications curriculum". The material you enclosed concerning the interpretation of engineering drawings and specifications is interesting, however ---".

4.11From the August 24, 1990 letter from Doctor Allen of JPL: "Doctor Allen has asked me to respond for him - Additionally, JPL is required by contract to comply with federal reliability and quality assurance requirements and therefore cannot license your copyright relating to differences relating to positional requirements"

s/Stephen P. Dombrowski Manager Contracts

4.12 From the August 30, 1990 letter from Doctor Six of NASA: "Your materials concerning the "Technical Communication Course" and dimensional analyses have

been received. You can expect to hear from me in the near future".
s/Frank Six University Affairs Office

4.13 From the August 31, 1990 letter from the Department of Defense Inspector General: "If future correspondence from you fails to provide sufficient Information, it will be filed without action or response"
s/Charles E. St.Cyr Assistant Director for Operations

4.14 From the August 31, 1990 letter from the Department of Defense Inspector General: "Your correspondence was forwarded to the Comptroller, Defense Logistics Agency. No response from the organization is required unless action is taken".
s/J. Leonard Trahan Jr. Assistant Director for Operations

4.15 From the October 9, 1990 from NASA: "Thank you for your letter to Admiral Richard Truly. I trust that the information in this letter clarifies the matters you raised in your correspondence to Admiral Truly and previous correspondence sent to various officials at NASA Headquarters and field Centers.

s/Margaret G. Finarelli Acting Associate Administrator for External Affairs, G.R. Kempf and S.J. Alexander.

4.16 From the November 8, 1990 letter from U.S. Congressman Bob Clement: "I want to acknowledge receipt of a copy of your press release and the letter you sent to Tennessean editor Frank Sutherland regarding the quality of products obtained through government contracts. Thank you for keeping me informed of your efforts".

s/Bob Clement Member of Congress

4.17 From the November 20, letter from U.S. Congressman Bart Gordon: "Thank you for contacting me

about fraud and the misuse of mandated documents within the Department of Defense. Please stay in touch.
s/Bart Gordon Member of Congress

4.18 From the January 15, 1991 letter from U.S. Senator Jim Sasser: "Thank you for your recent letter concerning your efforts to develop a course to upgrade technical communication of manufacturing information. I appreciate you keeping me informed of your plans and ideas"
s/ Jim Sasser United States Senator

4.19 From the January 17, 1991 letter from the Defense Systems Management College: "A review of your course outline reveals that the subject is not appropriate for the program instruction followed at the Defense Systems Management College".
s/Jack L. Soesbe Major, USA Executive Officer

4.20 From the May 6, 1991 letter from Education Secretary Lamar Alexander: "I have asked Cindy Beezley in my scheduling office to take a look at my calendar and get in touch with you shortly".
s/Lamar Alexander Education Secretary

4.21 From the May 10, 1991 letter from Education Secretary Lamar Alexander: President Bush agrees we all must be involved in making schools better. The President recently announced his ideas for improving education, America 2000. I hope you will join in this challenge".
s/ Lamar Alexander Education Secretary

4.22 From the May 15, 1991 letter from Education Secretary Lamar Alexander: "Thank you for your letter inviting Secretary Lamar Alexander to demonstrate your technical course. Regretfully, his schedule is so crowded that he must decline your kind invitation". s/Cynthia E. Beezeley Director of scheduling.

APPENDIX SECTION 2, MATERIAL TO REVIEW

4.23 From the August 16, 1991 letter from U.S. Congressman Bart Gordon: "Because of my interest in this topic, I have written to Deputy Secretary of Education Kearns with your request for an interview. I also forwarded him a copy of your proposal. His office should be contacting you in the near future. Please continue to keep me apprised of your plans".

s/Bart Gordon Member of Congress

4.24 From the September 30, 1991 letter from U.S. Congressman Bart Gordon: "Thank you for your most recent letter and for forwarding the record of your interaction with the Department of Education and various corporations. I appreciate being kept up to date on your progress".

s/Bart Gordon Member of Congress

4.25 From the July 7, 1992 letter from the New American Schools Development Corporation: "We regret your proposal was not selected for funding".

s/Ann McLaughlin President and CEO

4.26 From the July 14, 1992 letter from the White House: "I have taken the liberty of passing a copy of your (position paper) to our issues office for consideration".

s/Mark A. Bernstein

4.27 From the December 7, 1992 letter from U.S. Congressman Bart Gordon: "Thank you for forwarding me a copy of your recent letter to Senator Gore. I have let Senator Gore know that I will be of help in any way I can. Thank you again for staying in touch.

s/Bart Gordon Member of Congress

4.28 From the April 2, 1993 letter from NASA: "Your recent letter to President Clinton and NASA Administrator Daniel Goldin have been referred to my office. We will ensure that it is forwarded appropriately".

s/Judith B. Tenney Special Assistant to the Associate Administrator for Continual Improvement

4.29 From the April 23, 1993 letter from Labor Secretary Reich: "Secretary Reich has asked that I respond to your March 19 letter concerning education and job training. His busy schedule will not permit a meeting".
s/Hugh Davis Director of Employment and Training Programs

4.30 From the June 3, 1993 letter from Education Secretary Riley: "We encourage you to share your ideas at the state and local level".
s/Haroldie K. Spriggs Supervisory Program Specialist

4.31 From the June 28, 1993 letter from U.S. Congressman Bob Clement: "Thank you for forwarding the information regarding drawing view projection in the United States for my meeting with Secretary Riley. I unfortunately did not have the opportunity to discuss this issue with the Secretary. Again, thank you for sharing this information with me. If I may be of assistance again in the future, I hope you will not hesitate to contact me".
s/Bob Clement Member of Congress

4.32 From the July 14, 1993 letter from Vice President Gore: "Thank you for taking the time to send me a copy of your letter to President Clinton. Again, thank you for letting me hear from you".
s/Al Gore U.S. Vice President

4.33From the July 31, 1993 letter from Vice President Gore: "Thank you for contacting me to express your views of particular interest to you. Please be assured that the President and I will be working hard to accomplish the goals of particular importance to the American people."
s/Al Gore U.S. Vice President

APPENDIX SECTION 2, MATERIAL TO REVIEW

4.34 From the August 10, 1993 letter from David Gergen, Counselor to the President: "Thank you for writing to let me know of your concerns and suggestions for the Administration. Again, thank you for writing."
s/David Gergen

4.35 From the August 18, 1993 letter from U.S. Congressman Bob Clement: "Thank you for sharing with me copies of your correspondence between White House Staff and Mr. Gene Bottoms. I appreciate having it for my records. I am sure the White House staff can assist you in identifying federal sources for your project. Please keep me apprised of your work".
s/Bob Clement Member of Congress

4.36 From the October 20, 1993 letter from the White House: "I encourage you to continue to correspond with me and other White House Staff. I look forward to working with you".
s/George Stephanopoulos Senior Advisor to the President for Policy and Strategy

4.37 From the November 5, 1993 letter from U.S. Congressman Meehan: "Thank you for your interest in the Northeast/Midwest Congressional Coalition's Manufacturing Task Force. I urge you to continue you're your attention to the activities of this bipartisan effort to address the decline of the manufacturing sector. I appreciate the information you enclosed. I have enclosed the Task Force's Mission Statement and the names of the Task Force members for your information".
s/Marty Meehan Member of Congress

4.38 From the November 30, 1993 letter from U.S. Senator Jim Sasser: "Thank you for sending me a copy of your letter to Representatives Meehan, Franks and Brown and Senator Levin regarding your ideas about advance education and job training. I appreciate the points you

raise. I hope that you will continue to provide me the benefit of your views on matters of mutual concern".
s/Jim Sasser United States Senator

4.39 From the March 2, 1994 letter from U.S. Congressman Bob Clement: "Please feel free to contact me in the future on any issue of concern to you".
s/Bob Clement Member of Congress

4.40 From the February 28, 1994 letter from the White House: "President Clinton and I appreciate your sharing your suggestions concerning education and job training. We value your opinions and support. It was good to hear form you again".
s/George Stephanopoulos Senior Advisor to the President for Policy and Strategy

4.41 From the April 18, 1994 letter from U.S. Congressman Bob Clement: "Thank you for sending me a copy of your correspondence to Mr. George Stephanopoulos regarding your interest in design manufacturing. Please keep me informed as this issue develops further".
s/Bob Clement Member of Congress.

4.42 From the April 26, 1994 letter from U.S. Congressman Bob Clement: "Purusant to your request, I have copied your letter to Representatives Gordon, Cooper, Tanner, Meehan, Brown and Gary Franks. With respect to the information you sent to Mr. Stephanopoulos and Mr. Gergen, I have contacted their offices on your behalf. They have received your previous correspondence, however they will not be able to respond directly to you. They did indicate that your information was helpful for the President and encourage you to continue providing them with your expert advise".
s/Bob Clement Member of Congress

4.43 From the February 14, 1995 letter from U.S. Senator Thompson: "Thank you for expressing an interest in working for Senator Thompson. Unfortunately, there are no opening on his staff at this time."
s/Thomas A. Daffon Chief of Staff

4.44 The following is extracted from my September 15, 1996 letter to FBI Director Louis Freeh showed in the record: Paragraph 1.2.2 It wasn't until late 1984 that Government standards reflected that the "on track" industrial policy had derailed, by ambiguously mingling the customary and metric standards of weights and measures. Government Standard ANSI Y14.5 introduced metrics in the 1982 revision, however the revision wasn't released until 1984. The delay might have been because it was then evident to the members of the industry groups that concerns with Government standards that I have reported to the Government since 1988 were about to aggressively degrade the Nation's products and data bases. The revisions to ANSI Y14.5 were only re-affirmations of the 1982 revision by a few members of the committee. In my view, the findings of a Government inquiry into ANSI Y14.5 and associated matters are essential if the president and congress could (hope to) govern effectively.

5.0 History of the case as it effects the petitioner:

5.1 My supervisor at the Bendix Corporation in Sidney, New York (Daniel Bibeau) recognized the error I refer to in the 1966 release of ANSI Y14.5 in 1959 or before. A book he co-authored with employee Don Sweet copyrighted by the Division in 1959 discusses the error as far as it could be developed at that time. My job description said that I should do what I knew or could learn how to do to protect the company's products from that error. ANSI Y14.5 associates with functional gages. The thought was that relating parts to the functional gages would allow a better understanding of hidden

accumulations of tolerances. At that early date, I was fixing the expressions in the copyright in tangible form by associating with functional gages.

5.2 I wasn't surprised to see the error in the 1966 release of the standard because at that time, it was difficult to deal with in a practical sense. However, I was surprised to see it in the 1973 revision because by that time, I was dealing with it effectively with the method showed in my dimensional analysis copyright. I was concerned, because products were being downsized for space exploration.

5.3 In 1974, a paper that I authored on the subject entitled, "Unlocking The Hidden Tolerances In Precision Parts", was published in Machine Design. Robert Spahr of IBM was so troubled by the paper that he complained to the editor saying that there was no hidden tolerance in dimensioning with respect to ANSI Y14.5. Spahr was a member of the ANSI Y14.5 Committee and a consultant on the subject associated with the Standards Engineering Society. In 1976, I authored another paper on the subject published in Machine Design entitled, "Formulas That Unlock The Hidden Tolerances".

5.4 I did no more publicly with this subject matter until my employer asked me to teach a course in drawing interpretation in early 1984 to supervisors in manufacturing and inspection. Since I knew of no adequate textbook on the subject, the director of engineering gave me permission to author the text as I went along.

5.5 At the Standards Engineering Society's (SES) Annual Conference in say August 1984, Nolan of United Technologies asked me to consider presenting a workshop on, "Back to Basics" at the 1985 Conference. I said, I could if the course I was teaching at Bendix went well.

5.6 In December 1984, The Director of Engineering asked me to teach the course to the Company's sister division and vendors in Florida. Wayne Snow of that Division sent a scanting report of my performance to my Division that contradicted the good reports that were expressed verbally. In say July 1985, John Nolan called to say that his Committee was canceling the workshop I was scheduled to present because information received from my Division said that I was technically incompetent, not professional in my work and would embarrass the Society.

5.7. I was regional Director of SES at that time. Roz DePonfi of IBM was the Chairperson. She asked me to meet with her because what was being said about me in the SES was disturbing her so much she was in tears.

5.8. The defamation was fabricated at the workshop that I presented to the vendors at APF Industries in St. Petersburg, Florida in December 1984. I sent Nolan a copy of the letter that follows with no avail:

March 14, 1985

Dear Ben

We at APF Industries wish to thank you for your excellent instruction in true position tolerancing. By far, it was the most comprehensive lecture we have ever received regarding the "mysteries" of true position. Our employees extend their thanks in clearing up many of the ignorances we had and look forward to another session. It was indeed a pleasure to listen to someone who has a complete understanding of the subject. Again our thanks.
Yours truly, Pat Corrado,
President (and a good Manufacturing Engineer).

5.9 Many manufacturing companies in the United States were concerned about the ambiguities in ANSI

Y14.5 because it was effecting their products in troublesome ways they did not understand.

5.10 In developing the text, I was able to use the CADAM computer to show in two minutes that the methodology in my copyright relevant to centerlines was correct beyond argument. Steven Punako was by far the most proficient and experienced engineering designer at Bendix at that time. When he saw the proof, he realized his work during some 30 years was suspect because it did reflect those concerns. He immediately brought those concerns to the attention of the Director of Engineering (Wilklow) because he understood his responsibilities to those products and end-items in which they were used.

5.11 I was troubled by that cancellation for a number of reasons: a) It was by Committee Action. b) The committee members were representing major U.S. Corporations. c) The treatment I was receiving at the Division since February 1984 was so brutal and relentless it was making be very ill. d) In mid December 1985, Director of Personnel Gargis said, "if you take the early retirement option that was soon to be announced, you will never work in you career again". He then instructed the medical department to immediately check me into a hospital for psychological counseling. In the medical department, there was a phone call waiting for me from Father Bentley of the Catholic Church in Sidney. Bentley said, "I am taking your (thirteen years old) son to a psychologist". I said, "Father, I would go with you". He said, "no you won't, I'm taking charge of this situation".

5.12 The Principal at the public school is a Catholic I had known for years. I was involved with him in vocational education endeavors I associated with. He would not give me the right time of day in matters in which my son's safety was threatened. My former wife is

psychologically predisposed to encouragement she could do no wrong.

5.13 left Sidney New York for Tennessee in April 1987 because my son's lives were desperate, and I could do nothing about it. I have feared for their safety ever since, especially my younger son.

5.14 I wrote a letter to Chairman Hennessey of Allied Signal in November 1987 asking him to only help me understand the situation better. When after some months he refused, I brought the matter to the attention of then Senator Gore and former Senator Sasser.

5.15 Gore allowed me a fifteen-minute meeting with a clerk in his Nashville Office in 1988. I arrived early for the meeting. It started five minutes late. Five minutes into the meeting, State Director Jacqueline Shrago said to the interviewer to paraphrase, this meeting must end on time; the Senator wants those cartoons cut out of the papers and in Washington.

5.16 After some months, Senator Sasser and Congressmen Clement and Gordon said they did not want to interfere in Senator's Gore's investigation. When Gore closed the door, I went to other senators, congressmen and President Bush.

5.17 The person who answered the telephone for Defense Secretary Cheney said to paraphrase, the Secretary, General Powell and President Bush did not care about the technical matters I brought to their attention. The Department of Justice in the Bush Administration said they could find no record of my of my correspondence to the attorney general and director of the FBI. General Powell's office said they could find no record of my correspondence to the General. The person I was in contact with for Chief of Staff to

President Bush, Sam Skinner finally said to paraphrase, they apparently don't care. Chief of Staff John Sununu years before suggested in a letter that I should seek recourse elsewhere.

5.18 In the meantime, the attorney for Bishop Hubbard said, please, do not annoy the Bishop with such matters. The District Attorney for Delaware County in New York said he could not help.

5.19 In a brief conversation with then Senator Gore in Carthage, Tennessee when he announced for reelection, I gave him a note that reiterated what I said, he was assuming awesome responsibility for those technical matters, and asking him, if he would get back to me. I think he said maybe.

5.20 In a brief conversation with then Senator Gore at a town meeting prior to his nomination for vice president, I said to paraphrase, if I am trapped in a national issue that can not be resolved, please help get out of it. He said to paraphrase, there is nothing I could do. I said Senator, certainly you could. To paraphrase he said, I will get back to you with someone you could talk to who will help me understand the situation better. He is yet to do that.

5.21 Vice President, Gore is quoted in the Tennessean or Banner newspaper as saying to paraphrase, my endeavors can only be successful if they are secret.

5.22 It is in the record that I brought the matter to the attention of FBI Agent Edward Evans in Nashville to no avail.

5.23. Then Candidate for President Clinton and VP Candidate Gore televised a Donahue Show in Nashville in 1992. I was a candidate for U.S. Congress at that time. I

was given a ticket for the show. Secret Service Agent Loftis approached me as I entered the studio. He said Clinton and Gore would see me after the show. He asked to copy a report I had in my briefcase. He said he would return it later. Later he said he gave it to Gore's office in Nashville. That evidence was confiscated.

5.24 I left Allied Signal on early retirement in February 1986. LPL Investments acquired the Bendix Division about June 1987. In late 1987, I was informed my pension and health cares were with Amphenol and my ESOP was transferred to Allied Signal. Subsequently, cobra benefits I have reason to believe I paid for were denied. ERISA in such matters is irrelevant.

5.24.1 The following is extracted from the May 23, 1988 letter from John Williamson of Allied Signal, showed in the record: We will always appreciate your past contributions and dedication as an employee and retiree of Bendix/Allied Signal and value your position as a stockholder.

5.24.2 The following is extracted from the July 7, 1988 letter from Senator Gore showed in the record: In an effort to be of further assistance, I have obtained the name and address of the President of Amphenol where you may direct any further concerns ---. I regret that I am unable to assist you further. If I can assist you in the future, do not hesitate to contact my office.

5.24.3 The following is from the September 7, 1989 letter from Chairman Edward Hennessy, Jr. of Allied Signal showed in the record: I have been advised by David Roth that he was impressed with your expertise in Geometric Dimensioning. The Chairman then refers me to LPL Investments. I believe that Allied Signal had control of my pension, and health cares until some time in 1990 or later. And, control of my ESOP for some time after that.

5.23.4 The following is extracted from the letter I received from Doctor Roth (see Paragraph 5.240.3 above dated July 31, 1989 showed in the record. Ben:

I enjoyed our telephone conversation last week on the subject of True Position Dimensioning and Tolerancing. I have attached some copies of papers describing work being done in this very important field at the IBM Research Division at Yorktown Heights, N.Y. The gist of the articles is that to this day, engineering drawing standards on dimensioning and tolerancing cannot be rigorously solved for with the most complicated algorithms and supercomputers.

In reviewing the material which you left with Mr. Hennessy, I was impressed with your well thought out "gage method" approach to provide designers and the manufacturing departments with tools to improve the quality and yield of parts being produced. I have discussed this with engineers from our Aerospace Sector who use positional tolerancing in their design activities. They use both ANSI Y14.5 and ISO 1101/11-1974, depending on customer specifications. The consensus was that both of these standards have ambiguities and can be improved. Of particular interest with your methodology is (1) the possibility of gaining additional tolerances for manufacturing than is available by coordinate (centerline) methods, and (2) the elimination of expensive functional gages.

I was also interested in your discussion of the effects of Simultaneous and Independent Requirements as they might effect wall thickness between closely drilled holes, including the possibility of zero thickness under certain conditions. The ANSI and ISO standards are unclear on this point. We should discuss it further.

Your success in teaching the true position tolerancing methodology in a concise and understandable

way is evident from the letters from the Broome-Tioga Occupational/Technical Center, and from my conversation with others. As we discussed, I would like to arrange for you to give a one-day Executive Seminar on the subject here at Allied Signal, the date to be worked out. I'll call you after you receive this letter to discuss our next steps. s/ D.W.H. Roth, Jr. Vice President Office of Science and Technology. cc: (Doctor) M. L. Good. Doctor Good might still be in a high position in the U.S. Department of Commerce.

Paragraph 6 Retaliations:

6.0 The following is extracted from my September 15, 1996 letter to FBI Director Freeh showed in the record: 2.3 --- a court order from Florida was superseded by collusion and conspiracies between law enforcement in Tennessee and Florida, Middle Tennessee State University and the United States Post Office. In addition, felonies were committed against me and my son with malicious intent to a) Attack me through my son. b) Interfere with the 1996 Presidential election. c) Drive my son out of Nashville. d) Keep him in a foreign country. e) Attempt to drive me out of Tennessee.

6.0.1 The fraudulently superseded court order removed three safeguards the judge ordered to protect my son and terms of the parole. The order compelled my son to forthrightly work with the authorities to put an end to the happenings that have threatened his and his family's safety since 1984. The attacks escalated dramatically when it was known that I would be in New Hampshire competing in the Primary Election for President in 1996.

6.0.2 U.S. Senator Fred Thompson on his initiative said that he would help my son and me resolve those matters with the States of Tennessee and Florida in say April 1996. He did not keep his word. An editorial in a

Nashville newspaper in 1996 praised the Senator for his courage.

6.1 The U.S. Post Office is interfering with my mail in all directions since perhaps, 1988. This is relevant to the mandate from the Appellate Court that this writ responds to. Somerset Farms where I live contains some two hundred single families' homes. My house is within the first twenty-five mail deliveries. I just happened to be driving towards my house when the Post Office vehicle made a "U" turn to deliver my mail last on the day I received the mandate.

6.2 The pesticide pyrethrum was dumped into apartments in Nashville where I lived even years after Vanderbilt University Medical Center diagnosed severe allergic reactions to most everything as a consequence. I built the house at Somerset Farms in 1994 to escape that chemical. A clone heating and cooling system disguised as a Rheem was installed in the house. I have yet to recover some five figures of such losses. Metro code inspectors refuse to inspect the property. (This problem may resolve in January 2000.)

6.3 It is in the record that my monthly water and sewer charges are whatever someone wants them to be for some four years. The overcharge is about 100%.

6.4 It is in the record that misinformation willfully placed in the Nationwide Transportation Computer led to my arrest in the State of Virginia so aggressive it could have resulted in chain collisions involving many vehicles. That matter involves collusion with the State of New Jersey and State of Tennessee. I don't know if that information in that computer was corrected.

6.5 It is in the record that the Tennessean newspaper said the State validated my petition for U.S.

Congress in 1998. In addition, mail from political action committees' etc. confirmed it was validated. A few days later, the State said it failed validation. Credible evidence shows the copy of the petition I received from the State showing qualified voters known to be Democrats, some my neighbors were crossed was not the petition I turned into the State. Irrelevant information on the petitions was inadvertently slightly different.

6.6. It is in the record that I had to file a legal action alleging breach of copyright to protect my entire catalog of songs that was in process of being systematically breached.

6.7 The August 10, 1998 WSJ article showed in the record, "A Jack Welch Disciple Finds the GE Mystique Only Takes You So Far", states Boeing threatened to drop a vendor who showed resistance to Six Sigma. The cover story in the July 21, 1998 USA Today details Six Sigma.

6.8 The following extraction is from a November 1999 WSJ article relevant to the legal action filed under the qui tam provisions of The False Claims Act, Adams v, Toshiba. It is relevant to the "bug" in software chips that would randomly delete or alter data being transferred to floppy disk without the user's knowing it. Mr. Adams says he spoke with lawyers and marketing executives from the company in a conference call, "there was a clear implication that I wasn't going to do a whole lot of work in the industry if the paper were published more widely he says".

6.9 The following extraction is from the November 9, 1999 WSJ article entitled, Whistle-Blowup A Push for Reform Along Alaska Pipeline Runs Into Resistance, Fire-System Worries Heat Up. Last Paragraph follows: Mr. Malone says things at Alyeska would be worse if he gave up, and many agree with him. As for his broader mission,

he believes his reforms will eventually win out at Alyeska – but not easily. "When the phone rings at night my first thought is, "I hope it's not a problem with my kids', he says. "The second is, 'I hope it's not the pipeline." (This will suggest to the Court that the above statement is consistent with the record). In addition, the article goes into detail describing retaliations against those doing no more than fulfilling their responsibilities to their jobs.

7.0 Summation

7.1 The following is the December 13, 1999 letter that I sent to the company who will be Accessing Amphenol's Health Cares Insurance Program in 2000.

Benefits Access Inc., Benefits Administration
H10A Hartford, CT 06104-2975
To Whom It May Concern:

This will thank you for near 25 days thus far diligently trying to get Amphenol to inform me of the correct charges for health cares with the company. The charges on my statement attached are $110 per month; charges on the form I received from Benefits Access are $179.29 per month. The $110 charges per month include charges for prescriptions; it appears on the form that there is an added charge of $80.25 per month for prescriptions.

The differences in charges are relevant to where subscribers live. My health care records contain numerous indicators that show the only certain place I can go for health cares that will not do harm to the patient is the Mayo Clinic located in Rochester Minnesota. In addition, the record alleges that Allied Signal, from February 1984 to April 1987, drove me out of the vicinity of Sidney, New York. In addition, the U.S. Constitution allows citizens to live where they choose.

This will give you power of attorney to complete the charges and notations on the form in a way I will have health cares and prescriptions with Amphenol in 2000.

s/ Sincerely, Ben J. Tomeo

Attachments: Enrollment form and statement showing current charges for health cares and prescriptions with Amphenol.

7.2 The following is extracted from Memorandum 1 Motion to Proceed Court date stamped March 9, 1998 that is in the record:

1.6 Amphenol, and now Kohlberg, Kravis and Roberts have been arbitrarily deducting $142.50 per month from my pension for my share of the costs for health Insurance since January 1997. This is $132.50 per month more than Amphenol has been charging the retirees near Sidney, New York. The larceny in this crime alone is 1987.50 over the past fifteen months. This overcharge is 1,325%, or about 30% of my Pension funded by Amphenol. (I allege such overcharging has been ongoing since say 1987).

7.3 I can allege today that Amphenol rather than the insurance companies have administered the claims I filed for health cares since February 1986. In addition, I alleged for years that those insurance companies readily paid claims that would have degraded my health cares, whereas those claims that could have effected a cure and were not intended to do harm were either rejected or spun around. In addition, the manner in which the claims were spun around has been an open door to piling on by providers who have allegiance to the defendants. In addition, this has been substantial harassment with intent to do great harm since February 1986.